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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 VERNON WAYNE McNEAL,

12 Plaintiff,

13 v.

14 EVERT, et al.,

15 Defendants.  
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No. 2:05-cv-0441-GEB-EFB P

ORDER


17 Plaintiff, a state prisoner proceeding without counsel in an action brought under 42 U.S.C.  
18 § 1983, has filed a motion asking this court to compel prison officials to return certain legal  
19 material to him. ECF No. 313.

20 Plaintiff's motion is dated November 5, 2017. It appears that, when plaintiff was  
21 temporarily transferred from Centinela State Prison to CSP-Corcoran for the November 8, 2017  
22 settlement conference in this case (see ECF No. 311), prison staff may have failed to transport his  
23 case-related legal materials. It is not clear whether the materials were left in plaintiff's cell at  
24 Centinela or removed. It is possible that plaintiff has been returned to Centinela and reunited  
25 with his legal materials. (*See* ECF No. 312, Order Discharging Writ of Habeas Corpus Ad  
26 Testificandum as to Plaintiff.). Accordingly, the motion is denied without prejudice. If plaintiff  
27 has been returned to Centinela but still cannot locate his legal materials, he may again file a  
28 motion seeking the court's assistance.

1           Accordingly, it is hereby ORDERED that plaintiff's November 13, 2017 motion regarding  
2 his legal materials (ECF No. 313) is DENIED.

3           So ordered.

4 DATED: December 12, 2017.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE